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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,804	12/24/2003	Joung-Hwan Cho	P24622	9794
7055	7590	06/16/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C.			LUGO, CARLOS	
1950 ROLAND CLARKE PLACE			ART UNIT	
RESTON, VA 20191			PAPER NUMBER	
			3676	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/743,804

Applicant(s)

CHO, JOUNG-HWAN

Examiner

Carlos Lugo

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2,3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/26/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on March 16, 2005.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- Element 7 is not illustrated in the drawings.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 1 is rejected** under 35 U.S.C. 103(a) as being unpatentable over Korean Publication Number KR2003076114 to Kim in view of Korean Publication Number KR2002048030 to Oh and further in view of US Pat No 4,476,700 to King.

Regarding claim 1, Kim discloses a system for operating a rod of a glove box (20). The system comprises a driving rotary gear (50), a driving rod (44), a driven rod (60) and a return member (68).

However, Kim fails to disclose that a lock lever connected to the rear side of a knob rotates the driving rotary gear. Kim discloses that one of the rods (at 42) is connected to the knob.

Oh teaches that it is well known in the art to have a knob or handle (20) that is connected to a gear (10) by means of a lever (21), so as when the user operates the knob or handle, it would move the gear so as to move the rods out of engagement.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the knob mechanically engaged to the gear by means of a lever, as taught by Oh, into a device as described by Kim, in order to release and move the rods.

Also, Kim fails to disclose that the system has a rack system wherein the driving rod includes two sets of rack gears, having one connected to the driving rotary gear and the other one to a driven rotary gear. The driven rotary gear is then connected to the driven rod so as when the driving rotary gear moves, it will move the both rods.

King teaches that it is well known in the art to have a rack system having a lock lever (at 16) with a pinion gear (20) connected to a first rack gear of a driving rod (24). The driving rod includes a second rack gear (26) at an upper side that is connected to a side driven rotary gear (28). The other side of the driven rotary gear is then connected to a driven rack gear (31) of a driven rod (30) so as when the driving rotary gear moves, it will move the both rods.

It would have been obvious to one having ordinary skill in the art of latches at the time the invention was made to have a rack system, as taught by King, into a device as described by Kim, in order to move both rods with a gear system that is simple in design, inexpensive to manufacture, easy to use, and efficient in operation.

Allowable Subject Matter

5. **Claims 2 and 3 are objected** to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reasons For Allowable Subject Matter

6. The following is an examiner's statement of reasons for allowable subject matter:

Claims 2 and 3 present allowable subject matter over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the driving rotary gear is provided with a stopper that limits movement distance of the driving rod when the stopper is caught by one end of the driving rod (claim 2) and that the system includes a guide

plate provided with a hook that fixes of end of the return member and a hooking groove for guiding the driving rod (claim 3).

As to claim 2, Kim fails to disclose that the driving rotary gear is provided with a stopper that limits movement distance of the driving rod when the stopper is caught by one end of the driving rod. Kim only discloses that the inclined surfaces (45 and 65) of the rods could act like a stop.

As to claim 3, Kim fails to disclose a guide plate. Oh teaches the use of guide members (attaching the rods 11), however, these guide members are not designed with hooks that fix an end of the return member.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

7. Applicant's arguments with respect to the rejection of claim 1 in view of Wernig, as modified by King and Louis, have been considered and are persuasive. Therefore, the rejection is withdrawn. However, a new ground of rejection has been made in view of Kim, as modified by Oh and King.

Also, with respect to applicant's arguments that King is not analogous art (Page 12 Line 8), applicant is reminded that it has been held that the determination that a reference is from nonanalogous art is twofold. First, one must determine if the reference is within the field of the inventor's endeavor. If it is not, one then

determines whether the reference is reasonably pertinent to the particular problem being solved. *In re Wood*, 202 USPQ 171,174. In this case, the King reference is within the field of the inventor's endeavor, i.e., a latch that moves sliding rods with a gear system. The fact that the latch is on a glove box is the intended use of that latch. Therefore, in the latch art, King is considered as analogous art.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C.L.

Carlos Lugo
AU 3676

May 24, 2005.



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
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